

REMARKS

Claims remaining in the present patent application are numbered 1-27. The rejections and comments of the Examiner set forth in the Office Action dated June 24, 2005 have been carefully considered by the Applicants. Applicants respectfully request the Examiner to consider and allow the remaining claims.

EXAMINER'S INTERVIEW

On August 18, 2005, an Examiner Interview was conducted via telephone regarding the above captioned case. Participating in the Interview were Examiner I. Borissov and Applicants' representative L. Hsu.

During the interview, claim amendments were discussed. Specifically, an amendment limiting the independent Claims to include establishing a web-based collaboration session "all the while" or simultaneously while the voice communication is active. Agreement was reached among the parties that the above amendment would overcome the prior art. No agreement was made as to the allowance of the claims in the present application. Examiner requested support for the amendment to be presented in the response.

Applicants thank the Examiner for the Interview and the Examiner's amendments.

35 U.S.C. §103 Rejection

The present Office Action rejected Claims 1-4, 7-14, 17-21, and 24 under 35 U.S.C. 103(a) as being anticipated by Elms et al. (U.S. Patent Application Publication No. 2002/0072992 A1). Also, the present Office Action rejected Claims 5-6, 15-16, 22-23, and 25-27 under 35 U.S.C. 103(a) as being unpatentable over Elms et al. in view of Walker et al. (U.S. 2002/0169626). Applicants have reviewed the above cited reference and respectfully submit that the present invention as recited in Claims 1-27, is neither anticipated nor rendered obvious by the Elms et al. reference taken alone or in combination with the Walker et al. reference.

Independent Claims 1, 11 and 18

Applicants respectfully point out that independent Claims 1, 11, and 18 each recite that the present invention includes, in part:

establishing a web-based collaboration session between the first party and the second party through a mutual URL simultaneously with and while the voice communication is active . . .
(Emphasis Added)

The present invention pertains to a method and apparatus for providing a locate, collaborate, and transact (LCT) communications platform for a business-to-business (B2B) exchange service center. In particular, independent Claims 1, 11, and 18 each recite establishing a web-based collaborative session between two parties simultaneously with and while a voice communication is active. That is, independent Claims 1, 11, and 18 each recite simultaneous voice and web-based collaboration sessions between a first party and a second party that have been located, such as in an LCT communications platform that are utilized when transacting a business deal in a B2B exchange.

Applicants respectfully note that the prior art reference, Elms et al., does not comprise nor suggest the present method and apparatus that enables conducting transactions in a B2B exchange including establishing a web-based collaborative session through a mutual URL between a first party and a second party simultaneously with and while the voice communication is active, as is recited in independent Claims 1, 11, and 18.

In contrast to independent Claims 1, 11, and 18 of the present invention, the Elms et al. reference discloses a computer-implemented method for enabling a host to facilitate a transaction between a first and second party. In one implementation, every operation or communication

between the first party and the second party goes through a host. For example, an e-mail session is conducted through a server between the two parties in an exchange of e-mail correspondence to facilitate a transaction. More particularly, the Elms et al. reference fails to conduct both a voice communication and a web-based collaborative session simultaneously when establishing the web-based collaborative session, as recited in independent Claims 1, 11 and 18 of the present invention.

It is argued in the present office action that the Elms et al. reference teaches in the first sentence of paragraph [0070] the features of conducting both the e-mail session and a voice communication between the parties. Applicants respectfully disagree with the application of the above assertion. Applicants are not contesting that the Elms et al. reference teaches on the one hand conducting an e-mail session, and on the other hand a voice communication between parties, as provided in the first sentence of paragraph [0070]. Rather, Applicants disagree with the implication that they occur at the same time.

Specifically, Applicants respectfully contest the implication that the e-mail session and the voice communication are occurring simultaneously. The entire paragraph [0070] is provided below to provide the proper context.

Preferably, in addition to the exchange of correspondence by email, the present invention provides for a real-time chat between the buyer and vendor. As such, the exchange need not be in written format, but instead, by way of a spoken dialog between the parties. (See paragraph [0070] of the Elms et al. reference)

Specifically, in the Elms et al. reference, a real-time chat is provided between the buyer and vendor. This real-time chat is provided "in addition" to the exchange of correspondence by email, as outlined in the first sentence of paragraph [0070] of the Elms et al. reference. The application and usage of the term "in addition" in the first sentence of paragraph [0070] is defined in the second sentence of paragraph [0070] of the Elms et al. reference, which states, in part: "the exchange need not be in written format, but instead by way of spoken dialog". The specific use of the terms "need not be" and "instead," indicate that the real-time chat is envisioned in place of an exchange through a written format. As such, the real-time chat is mutually exclusive of the exchange through a written format (e.g., e-mail exchange). As such, the Elms et al. reference does not teach establishing a web-based collaborative session (e.g., e-mail correspondence) simultaneously with the voice communication, which is required in the present invention as recited in independent Claims 1, 11, and 18.

The disclosure in the Elms et al. reference is in direct contrast to embodiments of the present invention as recited in independent Claims 1, 11, and 18. In particular, the present invention claims a method and apparatus for conducting a transaction in a B2B exchange that provides for establishing a web-based collaborative session "simultaneously with and while the voice communication is active," to transact a business deal using both the voice communication and the web-based collaborative session through a mutual URL between a first party and a second party, as recited in independent Claims 1, 11, and 18. Support for the amendments to independent Claims 1, 11, and 18 that include establishing a web-based collaborative session "simultaneously with and while" a voice communication session is active is provided on page 13, lines 6-25 of the present application. Specifically, the relevant text is provided below:

Using LCT methodology, Party A locates Party B using the locating technology described above and alternatively, instant messaging can be used. Assuming Party A reached party B, a collaboration session is established by launching a web application. This is done by providing a mutual RUL for the two parties to meet. All the while, the phone call is held active. A collaboration session then ensues between the buyer and supplier allowing both parties to talk and to perform web collaboration with the sharing of web pages. (Emphasis Added)

Applicants respectfully point out the use of the terms "All the while" in the above paragraph provides for establishing

a web-based collaboration session simultaneously with a voice communication between Party A and Party B. That is, the term "all the while" equates to "simultaneously". Specifically, voice communication is used for Party A to locate and reach party B. Thereafter, "[a]ll the while" the voice communication is held active, the web-based collaboration session is established. As such, the present invention provides for "establishing a web-based collaborative session simultaneously with and while the voice communication is active," as is recited in independent Claims 1, 11, and 18 of the present invention.

Thus, Applicants respectfully submit that the present invention as disclosed in independent Claim 1, 11, and 18 is not anticipated nor rendered obvious by the Elms et al. reference, and is in a condition for allowance. In addition, Applicants respectfully submit that Claims 2-10 and 25 which depend from independent Claim 1 are also in a condition for allowance as being dependent on an allowable base claim. Similarly, Applicants respectfully submit that Claims 12-17 and 26 which depend from independent Claim 11 are also in a condition for allowance as being dependent on an allowable base claim. In addition, Applicants respectfully submit that Claims 19-24 and 27 which depend from independent Claim 18 are also in a condition for allowance as being dependent on an allowable base claim.

CONCLUSION

In light of the facts and arguments presented herein, Applicants respectfully request reconsideration of the rejected Claims.

Based on the arguments presented above, Applicants respectfully assert that Claims 1-27 overcome the rejections of record. Therefore, Applicants respectfully solicit allowance of these Claims.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

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Date: _____

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